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**HOUSE BILL 2279**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** Representatives Farivar, Couture, Kloba, Taylor, Cheney, Peterson, Caldier, Barnard, Simmons, and Macri

AN ACT Relating to utilization of developmental disabilities waivers; adding new sections to chapter 71A.10 RCW; and providing an expiration date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  A new section is added to chapter 71A.10 RCW to read as follows:

When enrolling eligible clients in open home and community-based services waiver slots and for purposes of determining access to specific waiver services, to the extent consistent with federal law and federal funding requirements, the administration shall prioritize clients in the following populations in addition to any other statutorily prioritized populations:

(1) Persons with developmental disabilities who are age 45 and older;

(2) Persons with developmental disabilities who, within the previous six months, have remained in a hospital without medical necessity due to lack of availability of community-based services and supports; and

(3) Persons who are discharging from residential habilitation centers.

NEW SECTION. **Sec.**  A new section is added to chapter 71A.10 RCW to read as follows:

By July 1, 2027, the administration shall, within existing resources:

(1) Enroll eligible clients in unused home and community-based services waiver slots so that all available waiver slots are fully utilized; and

(2) Expand waiver service provider capacity so that each client enrolled in a home and community-based services waiver has the opportunity to participate in the full array of services available through the waiver.

NEW SECTION. **Sec.**  A new section is added to chapter 71A.10 RCW to read as follows:

(1) By October 1, 2024, and in compliance with RCW 43.01.036, the administration shall report to the legislature with the following information:

(a) Current home and community-based services waiver utilization and the number of unused waiver slots for each type of waiver;

(b) Services that are authorized under each home and community‑based services waiver, but that have inadequate provider capacity to enable every person on the waiver who wishes to access the services to do so; and

(c) A plan to achieve full utilization of home and community‑based services waivers and full access to waiver services by July 1, 2027, including a description of any barriers to identifying eligible clients for waiver enrollment and connecting enrolled clients with waiver services, as well as proposed solutions to overcome those barriers, including any necessary legislative, administrative, or fiscal changes.

(2) Beginning with a report due October 1, 2025, and annually thereafter until October 1, 2027, the administration shall submit a report to the legislature, in compliance with RCW 43.01.036, detailing its progress toward meeting the full utilization requirement in section 2 of this act, including updated data and information as outlined in subsection (1) of this section.

(3) This section expires July 1, 2030.

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